

IN THE UNITED STATES DISTRICT COURT
FOR THE DISTRICT OF DELAWARE

CORTEVA AGRISCIENCE LLC, *et al.* : CIVIL ACTION
:
v. : NO. 23-1059
:
INARI AGRICULTURE, INC., *et al.* :

ORDER

AND NOW, this 7th day of July 2025, upon considering defendant's motion to amend (DI 288) our May 13, 2025 order striking Inari's twenty-second affirmative defense (DI 251), and the parties' respective papers concerning this motion, it is **ORDERED** defendants motion to amend (DI 288) our May 13, 2025 order striking Inari's twenty-second affirmative defense (DI 251) is **GRANTED**. Plaintiffs' motion to dismiss defendants' counterclaims and strike affirmative defenses (DI 173) is **DENIED** as to affirmative defense 22 (estoppel).¹


MURPHY, J.

¹ Inari correctly points out that the memorandum (DI 250) did not address the identified aspect of affirmative defense 22. Corteva's arguments in opposition are reasonable enough but they make the (sometimes correct but this time incorrect) assumption that I actually decided the issue but did not explain it very well. Going back and looking, and with all the qualifiers about this being a motion to strike an affirmative defense, we agree with Inari and so will grant the motion as proposed.